

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America

v.

Eduardo Jose Mejia-Medina,

A206 134 968

Defendant

Case No. 17-6347MS

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 29, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Eduardo Jose Mejia-Medina, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States at or near Alexandria, Louisiana, on or about October 21, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).

I further state that I am a Border Patrol Agent with U.S. Customs and Border Protection.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

REVIEWED BY: AUSA Jacqueline Schesnel for AUSA Jennifer F. Levinson

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: October 2, 2017

City and state: Phoenix, Arizona

Complainant's signature

Christopher M. Baugh
U.S. Border Patrol Agent

Printed name and title

Judge's signature

David K. Duncan
United States Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Christopher M. Baugh, being duly sworn, hereby depose and state as follows:

1. Your affiant is a United States Border Patrol agent. I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 29, 2017, Border Patrol Agent Grady Palmer encountered an individual near Gila Bend, in the District of Arizona. The agent identified himself as a Border Patrol agent and performed an immigration inspection on the individual. The individual, later identified as Eduardo Jose Mejia-Medina, admitted to being a citizen and national of a country other than the United States, unlawfully present in the United States. Mejia-Medina was transported to the Ajo Border Patrol Station for further processing. Mejia-Medina was held in administrative custody until his criminal and immigration history could be verified.
3. Immigration history checks revealed Eduardo Jose Mejia-Medina to be a citizen of Honduras and a previously deported criminal alien. Mejia-Medina was removed from the United States to Honduras through Alexandria, Louisiana, on or about October 21, 2016, pursuant to a removal order issued by an immigration official. There is no record of Eduardo Jose Mejia-Medina in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Mejia-

Medina's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Eduardo Jose Mejia-Medina was convicted of Possession with Intent to Manufacture or Distribute a Controlled Substance, a felony offense, on December 22, 2015, in the County Court, Adams County, Colorado. Mejia-Medina was sentenced to a term of hundred and ten (110) days' imprisonment and two (2) years' probation. Mejia-Medina's criminal history was matched to him by electronic fingerprint comparison.
5. On September 30, 2017, Edgardo Jose Mejia-Medina was advised of his constitutional rights. Mejia-Medina freely and willingly acknowledged his rights but did not agree to provide a statement.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 29, 2017, Eduardo Jose Mejia-Medina, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States at or near Alexandria, Louisiana, on or about October 21, 2016, and not having

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obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Christopher M. Baugh
U.S. Border Patrol Agent

Sworn to and subscribed before me
this 2nd day of October, 2017.



David K. Duncan
United States Magistrate Judge